

REMARKS

A reconsideration of this application is respectfully requested.

In an effort to better define the invention, the number of claims has been reduced from the original 11 to six. The subject matters of Claims 1 and 2 have been combined and presented as new Claim 18. Claims 3 and 4 remain the same but depend from Claim 18; Claim 5 has been cancelled; Claim 6 has been amended by incorporating the subject matters of Claims 7 and 8, both of which have been cancelled; Claim 9 has been amended by incorporating the subject matter of Claim 10, which has been cancelled along with Claims 11-16. Claim 17 is a new composition of matter claim dependent from Claim 18.

The claims remaining in the application for which reconsideration is requested, therefore, are Claims 3, 4, 6, 9, 17 and 18.

The objection to Claims 6-10 has been overcome by appropriate amendment of Claims 6 and 9 and cancellation of Claims 7, 8 and 10. Withdrawal of the objection is requested.

Claims 1-5, 9, 10 and 16 have been rejected under Section 102(b) as anticipated by or, in the alternative, as obvious under Section 103(a) as obvious over EP 315,204. Claims 1-10 and 16 have been further rejected under Section 103(a) as unpatentable over USP 6,083,422 in view of EP 315,204. A reconsideration of these rejections as applicable to the present claims is respectfully requested.

The present invention relates to a process of stabilizing the viscosity and/or the active chlorine content of liquid hypochlorite bleaching compositions by adding thereto a specified amount of a defined class of hindered amines, and to the resultant stabilized composition.

EP 315,204, as the Examiner correctly points out, discloses a bleaching composition comprising active chlorine and a hindered amine, the latter being present for the specific purpose of enhancing the bleaching effect of the composition without discoloration. (Office Action p.4, l. 15-16.) Nowhere within this patent is there any mention that the stabilization of such compositions is a problem, muchless that the problem can be solved in accorddiance with the surprising discovery first disclosed by Applicant in this application.

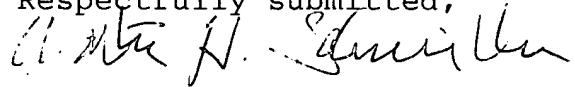
The Examiner discounts the complete and total lack of any disclosure in EP 315,204 of Applicant's method for the stabilization of bleaching solutions by contending that the composition of the '204 patent would inherently stablize the active chlorine content of the resultant detergent composition. (Office Action p. 5, l. 8 from the bottom). Applicant contends that if any such inherency exists, it would never have occured to the Examiner, or anyone else for that matter, in the absence of Applicant's disclosure. It hardly need be said that Applicant's own disclosure cannot be used to deny patentability of his invention, but that is exactly what has been done in this Office Action.

USP'422 to Ambuter relates to aqueous bleach solutions containing a rheology modifier. The Examiner proposes adding the teaching of EP'204 to USP'422 to produce a stabilized active chlorine content. The only problem with this approach for the ordinary man skilled in the art is that EP'204 does not teach how to stabilize the chlorine content of bleach solutions. That teaching is found only in Applicant's disclosure and his own teaching, of course, cannot be used to deny patentability.

On reconsideration by the Examiner, it is respectfully requested that the Section 102(b) and both 103(a) rejections be withdrawn and that Claims 3, 4, 6, 9, 17 and 18 be allowed.

Any early action leading to the issuance of a Notice of Allowance is respectfully solicited.

Respectfully submitted,



Walter H. Schneider
Attorney of Record.

Tel: 740-420-7378
Fax: 740-420-9624